

**Town of La Pointe Zoning
Town Plan Commission Regular Monthly Meeting Minutes
April 20, 2011**

Town Plan Commission (TPC) Members Present: Ted Pallas, Chair, Charles Brummer, Vice-Chair, Larry Whalen, Carey Baxter, Ron Madich, Suellen Soucek (6).

Town Plan Commission Members Absent: Greg Thury (1).

Public Present: Paul Brummer, Susan Hartzell, Bob Hartzell, Steve McHugh (4).

Town Staff Members Present: Jennifer Croonborg-Murphy, ZA (1).

I. Call to Order/Roll Call

Chair Pallas called the meeting to order at 4:30 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

II. Public Comment

None.

III. Approval of Previous Meeting Minutes

a. Town Plan Commission Regular Monthly Meeting, March 16, 2011, Second Draft

C. Brummer moves to approve the Town Plan Commission Regular Monthly Meeting second draft minutes of March 16, 2011, as submitted. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

b. Town Plan Commission Special Monthly Meeting, April 6, 2011

- In item V.a, change *“of one of the driveway entrances to County H, probably the one on lot 2”* to *“of the driveway entrance to County H on lot 2.”*
- In item V.b, first paragraph, insert *“form”* after *“application.”*
- In item V.b, first paragraph, insert *“loss of”* after *“potentially causing.”*
- In item V.b, second paragraph, change *“nor”* to *“not.”*
- In item V.b, fourth paragraph, insert *“states that”* after *“J. Croonborg-Murphy.”*
- In item V.d, second paragraph, delete period after *“crawl space.”*
- In item V.d, second paragraph, insert *“is”* after *“soil erosion plan.”*
- In item V.d, fourth paragraph, change *“CSM”* to *“Survey”* and add *“in his opinion”* to the end of the sentence.

C. Brummer moves to approve the Town Plan Commission Special Monthly Meeting minutes of April 6, 2011, as amended. S. Soucek seconds. All in favor, 5aye, 1 abstain (R. Madich). Motion Carries.

c. Town Plan Commission Special Meeting, April 12, 2011

- In first bullet point, delete extra *“to”* after *“Change.”*

C. Brummer moves to approve the Special Meeting minutes of April 12, 2011, as amended. S. Soucek seconds. All in favor, 5 aye, 1 abstain (R. Madich). Motion Carries.

d. Town Plan Commission Public Hearing, April 13, 2011

- Change header from *“March 15”* to *“April 13.”*

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- In item II, fourth bullet point under Ed Musik's comments, change "*don't*" to "*doesn't*."
- In item II, under Burke Henry's comments, second sentence, insert "*hypothetical*" to before "*Options A, B, C, and D.*"
- In item II, add "*Conditional Use Permit application*" to the end of both Meg Brown and Chris Wolfe's statements.

C. Brummer moves to approve the Town Plan Commission Public Hearing minutes of April 13, 2011, as amended. S. Soucek seconds. All in favor, 4 aye, 2 abstain (Chair Pallas and R. Madich). Motion Carries.

IV. **Zoning Administrator's Report** On file.

V. **Consideration and/or Action of Permit Applications**

Chair Pallas makes a motion to move "b. Hartzell" up on the agenda, since Beth isn't here. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

- **Alsgaard, Beth RE: after the fact permit application for travel trailer & accessory building, @ 718 Brian's Road, LP #014-00208-0700.**

The Zoning Administrator reports that Ms. Alsgaard doesn't feel that the travel trailer and accessory building qualify as structures, as the first is on wheels and the second is a former hunting cabin used for storage. She is contesting the double fees.

Discussion.

Chair Pallas instructs the Zoning Administrator to let Ms. Alsgaard know that the Town Plan Commission's consensus is that she's got to pay fees.

The Zoning Administrator will send a letter, after which there will be 30 days to pay fees before they're quadrupled.

C. Baxter suggests that the Zoning Administrator also forward her the memo to the Town Plan Commission along with the letter to Ms. Alsgaard.

Chair Pallas makes a motion to move New Business C, up on the agenda at this point. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

- **Hartzell, Robert RE: application to amend the existing Conditional Use Permit for a resort, year-round spa and exercise facility approved July 8, 2008, @ 580 Mondamin Tr., LP #014-00206-0200**

- **Review application for completeness**
- **Possibly schedule Public Hearing**

Mr. Hartzell states that after additional consideration, he has decided to withdraw application to change Conditional Use Permit.

Regarding the existing Conditional Use Permit, he states that his sanitary permit is on verge of completion and he has contractors for sewer line all set up. He would like to get work going by mid-May.

C. Brummer notes that the Conditional Use Permit section of zoning ordinance states that Conditional Use Permits becomes null & void after 12 months of not being acted upon. J. Croonborg-Murphy responds that this Conditional Use Permit can't be issued without sanitary permits, so that 12-month period hasn't begun yet.

Chair Pallas tells Mr. Hartzell to first send a letter to Zoning Administrator saying the Conditional Use Permit amendment is being withdrawn.

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Chair Pallas makes a motion to move back to “a., Alsgaard.” S. Soucek seconds. All in favor, 6 aye. Motion Carries.

VI. Old Business

a. Big Bay Town Park

Town of La Pointe Conditional Use Permit application for improvement & expansion of Big Bay Town Park, @2305 Town Park Circle, 01400072-0000.

- **Discussion RE: 3/15/2011 & 4/13/2011 Public Hearing**

Vice-Chair C. Brummer takes over as acting chair for Chair Pallas, who’s abstaining. He states that a decision is not going to be made at this meeting. He remarks that the last Public Hearing was shorter than the first, but the public expressed the same concerns.

J. Croonborg-Murphy states that she’d be happy to convey questions and/or concerns to the engineers.

C. Brummer states that he would have liked to see more options and more time for public to contribute to the planning process. He states that the sanitary situation out there needs improvement. A septic system would be cheaper the closer it is to the toilets. If a sanitary system (mound system or otherwise) were across the street, they would have to lay pipe, which would cost more by the foot. J. Croonborg-Murphy states that there are setbacks with mound systems, 10 feet from property line.

J. Croonborg-Murphy states that if the park’s non-conforming, it can’t be expanded without a Conditional Use Permit, so the Town Plan Commission might want to exercise caution if considering flat denying it.

C. Baxter states that it’s a campground, not at a hotel or resort. You can make them nicer and all, but it’s still camping—how much improvement is necessary?

S. Soucek wants to see a reservation system and more signage at the park. R. Madich responds that the reservation system has nothing to do with the Town Plan Commission, it’s something that can be implemented regardless of any Conditional Use Permits

R. Madich doesn’t want anything done that the Town doesn’t have the money to do already.

S. Soucek states that she is in favor of the first part of the plan & approving what the Town can afford (passing it with conditions).

The Town Plan Commission discusses the application with regard to the Standards of Approval for a Conditional Use Permit in section 7 of the Zoning Ordinance.

#1 and #2 (*Established Character & Quality of Area; Physical appearance and Compatibility with Adjacent Land Use*). C. Brummer doesn’t see how an RV park is preserving wilderness character. Wetlands will be affected. He feels that an RV park is compatible with campsites but not with single-family dwellings. L. Whalen feels it would be comparable with building a motel out there, and that cutting down the trees necessary for an RV Park would affect the area’s appearance. C. Baxter notes that the leakage into the wetlands from the RVs and clear-cut area would affect the area.

#3 & #4 (*Existing Topography, Drainage Features*). The runoff from RV's and could eventually get into the lagoon then the lake. 7-8 culverts are proposed. R. Madich states that he'd like to see an RV park, but not in this location--as a private enterprise maybe.

#5 & #6 (*Erosion Potential; Vegetative Cover*). On the application, they talk about erosion control for the cliff-side overlooking the lagoon at the existing campground. Any construction entails removal of vegetation.

#7 (*Prevention and Control of Water Pollution*). Pollution certainly from the RVs, RV generators, leaking fuel, oil, etc.

#8 (*Prevention of Overcrowding of Natural Resources*). C. Brummer states that in his opinion, it's already overcrowded in summer. This would make it worse. Agreement that it would increase the overuse of beach/lagoon.

#9 (*Location with respect to Floodplains*). It's not in a floodplain.

#10 (*Movement of Traffic*). C. Baxter states that there are already problems with traffic. C. Brummer feels that it might be good just to pave the parking lot: there is already a parking problem out there. J. Croonborg-Murphy remarks that there's a runoff issue with paving. C. Brummer states that one thing they didn't show was handicapped parking, which he feels is a huge oversight. It is agreed that there are multiple problems with a cross walk over County H.

#11 (*demand for related services*). Regarding the reservation system, a Conditional Use Permit to do this isn't necessary. S. Soucek feels the Town should take control of/improve what is already in place at the park, and that additional signage is important. C. Brummer states that more policing, another 1-2 employees might end up being necessary. He is not in favor of entrance fee, or there should have to be a charge for Joni's Beach and Rec Center as well.

#12. (*possible hazardous effects*). C. Brummer states that this is a number one concern from neighbors: trespassers, exhaust, 22 campfires. They say that the trees will mitigate the noise and smoke. He feels that the plan should not minimize this RV park's effects on neighboring land owners' enjoyment of their property.

#13. (*Compatibility with Comprehensive Plan*). C. Baxter states that it really depends on how you choose to interpret the Comprehensive Plan.

- **Discussion and possible recommendation to the Town Board**

This will be on the next meeting's agenda.

b. Zoning Ordinance Revision Project

Discuss and possibly make changes to draft Zoning Ordinance Sections 1-16 and Zoning Map, dated 10/6/2010 in consideration of public comment received at December 1 and December 8 Public Hearings.

Not discussed.

VII. New Business

a. CAPP Committee amended five-year Parks and Recreation plan

Plan hasn't been received from CAPP Committee yet.

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b. Recommendation to Town Board for Town Plan Commission members to fill 2 positions

Chair Pallas moves to recommend to the Town Board for C. Brummer and C. Baxter maintain their positions. S. Soucek seconds. All in favor, 4 aye, 2 abstain (C. Brummer, C. Baxter). Motion Carries.

Chair Pallas makes a motion to move to Old Business, A. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

c. Steve McHugh questions RE: tents used as classrooms and port-a-potty's at 807 Bell St.

Mr. McHugh states that he is thinking about putting up three tents: two on the grass area and one on the deck. They would be up for the summer season only. These would be for outdoor art classes, demonstrations, etc and the Community Garden has expressed interest in holding the farmers markets there. He asks if tents are regulated and would need a permit.

Chair Pallas responds that as long as they meet setbacks they wouldn't need a permit.

Chair Pallas states that he is less concerned with tents than with the sanitary situation. The Town Plan Commission is in consensus against any port-a-potty's.

Chair Pallas makes a motion to move to a under new business. New Business. S. Soucek seconds. All in favor, 6 aye. Motion Carries.

VIII. Future Agenda Items

IX. Schedule Future Meetings

X. Adjournment

C. Baxter moves to adjourn. S. Soucek seconds. All in favor, 6 aye. Motion Carries. Meeting ends at 6:30pm.

Town Plan Commission minutes are respectfully submitted by Margaretta Kusch, ZCA on Thursday, April 28, 2011.

Town Plan Commission minutes approved as amended by Margaretta Kusch, ZCA on Wednesday, May 04, 2011.